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January 21, 2004

TO: Examiner Yaen (TC1600)

GROUP: 1642

FAX NUMBER: 703-872-9307

ATTORNEY DOCKET NO.: DEX-0113

SERIAL NO.: 09/700,770

FILED: January 16, 2001

NUMBER OF PAGES: 10

MESSAGE: Attached please find Amendment Transmittal Letter, Reply under 37 C.F.R.  
1.116 mailed October 21, 2003 and Certificate of Transmission by Facsimile.

Kathleen A. Tyrrell, Registration No. 38,350

URGENT! PLEASE DELIVER IMMEDIATELY UPON RECEIPT. THANK YOU!

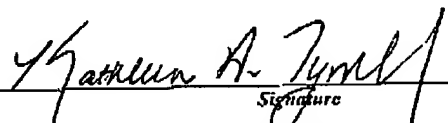
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|   |  |   |  |         |                   |
|---|--|---|--|---------|-------------------|
| <b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>  |  |   | Docket No.<br><b>DEX-0113</b>  |         |                   |
| Applicant(s): <b>Yang et al.</b>  |  |   |  |         |                   |
| Serial No.<br><b>09/700,770</b>   | Filing Date<br><b>January 16, 2001</b> | Examiner<br><b>Yaen, Christopher H.</b> | Group Art Unit<br><b>1642</b>  |         |                   |
| Invention: <b>A Novel Method of Diagnosing, Monitoring and Staging Lung Cancer</b>  |  |   |  |         |                   |
| <b><u>TO THE COMMISSIONER FOR PATENTS:</u></b>  |  |   |  |         |                   |
| Transmitted herewith is an amendment in the above-identified application.<br>The fee has been calculated and is transmitted as shown below.   |  |   |  |         |                   |
| <b>CLAIMS AS AMENDED</b>  |  |   |  |         |                   |
|   | CLAIMS REMAINING<br>AFTER AMENDMENT    | HIGHEST #<br>PREV. PAID FOR             | NUMBER EXTRA<br>CLAIMS PRESENT   | RATE    | ADDITIONAL<br>FEE |
| TOTAL CLAIMS  | 4                                      | 20 =                                    | 0 x  | \$18.00 | \$0.00            |
| INDEP. CLAIMS   | 1                                      | 5 =                                     | 0 x  | \$84.00 | \$0.00            |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |  |   |  |         | \$0.00            |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>  |  |   |  |         | <b>\$0.00</b>     |
| <input checked="" type="checkbox"/> No additional fee is required for amendment.<br><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____<br><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>50-1619</b><br><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.<br><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. |  |   |  |         |                   |
| <br>Kathleen A. Tyrrell, Registration No. 38,350   |  |   | Dated: <b>January 21, 2004</b>   |         |                   |
| <b>LICATA &amp; TYRRELL P.C.</b><br>66 East Main Street<br>Marlton, New Jersey 08053<br>Tel : 856-810-1515<br>Fax: 856-810-1454   |  |   | <div style="border: 1px solid black; padding: 5px;">         I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.       </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         Signature of Person Mailing Correspondence<br/><br/>         _____<br/>         Typed or Printed Name of Person Mailing Correspondence       </div> |         |                   |
| CC:   |  |   |  |         |                   |

RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 21 2004

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Attorney Docket No.: DEX-0113  
Inventors: Yang et al.  
Serial No.: 09/700,770  
Filing Date: January 16, 2001  
Examiner: Yaen, Christopher H.  
Group Art Unit: 1642  
Title: A Novel Method of Diagnosing, Monitoring  
and Staging Lung Cancer

Certificate of Facsimile Transmission

I hereby certify that this document is being facsimile  
transmitted to the Patent and Trademark Office on  
the date shown below.

On January 21, 2003

  
Kathleen A. Tyrrell, Registration No. 38350

Mail Stop  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Reply under 37 C.F.R. § 1.116

This is a reply to the Final Rejection mailed October 21, 2003  
setting a three (3) month statutory period for response. Please  
enter the following amendments and remarks into the record.